



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/563,703

07/21/2006

Asaf Tamir

38104

1223

67801

7590

05/29/2009

MARTIN D. MOYNIHAN d/b/a PRTSI, INC.

P.O. BOX 16446

ARLINGTON, VA 22215

EXAMINER

LIEU, JULIE BICHNGOC

ART UNIT

PAPER NUMBER

2612

MAIL DATE

DELIVERY MODE

05/29/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/563,703

Applicant(s)

TAMIR ET AL.

Examiner

Julie Lieu

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29, 80 and 126-130 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-29 is/are allowed.
- 6) ☒ Claim(s) 80 and 126-130 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office action is in response to Applicant's preliminary amendment filed January 05, 2006. Claims 30-79 and 81-125 were canceled.

Specification

2. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 80 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The term "may" is indefinite.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farmer (US 2009/0109037).

Regarding claim 80, Farmer discloses a method of handling vehicle monitoring information, comprising:

accumulating data on the driving of a vehicle (at a central source, see para. 0027), which data identifies at least two of driving time, driving locations (fig. 1 and para. 0029) and driving dynamic parameters (hard braking, high acceleration, etc...see para. 0014) with the vehicle; and storing the accumulated data in a memory unit (central source).

Farmer fails to disclose using instructions to destroy at least identification information which may link the accumulated data to the vehicle, within a predetermined time. However, Farmer suggest that the data registered by vehicle drivers may be provided to a central source anonymously (see para 0027, "such data maybe anonymously provided to a central source"). Therefore, the reference implicitly suggests destroying or an equivalent function thereof to conceal the identification of the vehicle or vehicle driver from the insurance company. It would have been obvious to one skilled in the art to destroy the identification information within a

predetermined time, that is, before the information is ready to be released to the insurance companies because it is desirable that the identification would be concealed from the insurance company as suggested by Farmer.

7. Claims 126-130 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farmer (US 2009/0109037) in view of Andersson et al. (US Patent No. 6,836,719).

Regarding claim 126, Farmer discloses a system thus also a method of analyzing vehicle behavior, comprising collecting information on the driving behavior of the vehicle.

Farmer fails to disclose identifying topographical attributes of roads traversed by the vehicle and analyzing the collected information so as to determine information on the driving behavior of the vehicle with relation to topographical road attributes. However, such concept is well known in the art as taught in Andersson et al. (Andersson). Andersson teaches that road attributes would have a significant impact on the driver speed behavior (col. 4 last paragraph). Therefore, in light of Andersson's suggestion, it would have been obvious to one skilled in the art to consider road attributes in the Farmer system and method because the speeding or acceleration of the vehicle may be caused by the road attributes and should not be considered against the driver behavior.

Regarding claims 127 and 128, one skilled in the art would have readily recognized analyzing, in the Farmer improved method, responsive to a location and/or angle of a steep slope because it is common that the location and angle of a steep slope are common road attributes that would affect the vehicle speed.

Regarding claims 129 and 130, Farmer disclose assigning a score to the vehicle comprising:

collecting information on the driving behavior of the vehicle and

assigning score (inherent since the insurance companies would have some standards to determine the insurance premium for the vehicle) responsive to the analysis of the vehicle driving behavior collected at the central source (para. 0027).

Farmer fails to disclose analyzing the collected information so as to determine a plurality of parameters of the behavior of the vehicle in relation to the curve. Nonetheless, Andersson teaches that driving fast around a sharp road curve would not be desirable and the vehicle speed should be lower than normal speed (see col. 1, lines 16-30). In light of this teaching, it would have been obvious to one skilled in the art to consider the vehicle behavior such as speed lateral deceleration, front deceleration of the vehicle upon approaching and going around a sharp curve in the vehicle behavior analysis of Farmer's in order to determine the insurance rate because going around a sharp road curves at high speed or accelerating when approaching the curve is risky driving behavior.

Allowable Subject Matter

8. Claims 1-29 are allowed.
9. The following is an examiner's statement of reasons for allowance:

No prior arts have been found to disclose or fairly teach/suggest comparing the determined values of the first vehicles to the determined values of one or more second vehicles as in claim 1 and comparing the behavior of the first vehicle to behavior of one or more vehicles under similar circumstances as in claim 18.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

10. If Applicant intends to file amendment with new claim subject matter added in the claims, the examiner requests that Applicant points out the specific pages and lines numbers in the specification that support the newly claimed matter.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Lieu whose telephone number is 571-272-2978. The examiner can normally be reached on MaxiFlex.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benjamin Lee can be reached on 571-272-2963. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Julie Lieu/
Primary Examiner
Art Unit 2612

May 24, 09